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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WRIST USA (HOUSTON), INC. :
: Docket No. 20 cv _____ ()
Plaintiff, :
: :
- *Against* - :
: : **COMPLAINT**
C.H ROBINSON INTERNATIONAL, INC., and :
C.H. ROBINSON FREIGHT SERVICES, LTD. :
d/b/a CHRistal Lines, :
: :
Defendants. :
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The Plaintiff, Wrist USA (Houston), Inc., by and through its attorneys Hill Rivkins LLP, as and for its complaint against the above-named defendants, alleges upon information and belief as follows:

PARTIES

1. At and during all times hereinafter mentioned, Plaintiff, Wrist USA (Houston), Inc., was and now is a corporation organized and existing under Texas law with an office and principal place of business at 1485 East Sam Houston Parkway, Suite 100, Pasadena, Texas 77503.
2. At and during all times hereinafter mentioned, Defendant C.H. Robinson International, Inc. was and now is a corporation organized and existing under Delaware law with an office and principal place of business at 14701 Charlson Road, Eden Prairie, MN 55347 and was and now is engaged in business as common carriers of goods for hire.

3. At and during all times hereinafter mentioned, Defendant C.H. Robinson Freight Services, Ltd. d/b/a CHRistal Lines was and now is a corporation organized and existing under Illinois law with an office and principal place of business at 1501 North Mittel Blvd., Suite B, Wood Dale, IL 60191 and was and now is engaged in business as common carriers of goods for hire

JURISDICTION

4. This Honorable Court has subject matter jurisdiction pursuant to 28 U.S.C. §1333 and this is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. Alternatively, this Honorable Court has jurisdiction pursuant to 28 U.S.C. §1332 in that Plaintiff and Defendants are citizens of different states and the amount in controversy exceeds \$75,000 exclusive of interest and costs.

THE CLAIM

5. In or about June 2019, there was delivered to Defendants a shipment of frozen food and a shipment of chilled and dry foods in good order and condition and suitable in every respect for the intended transportation which Defendants received, accepted and agreed to transport for certain consideration in containers SUDU6043360 and SUDU8083865 aboard the M/V MSC CADIZ pursuant to CHRistal Lines bill of lading 294747605HOU and 294744347HOU.

6. Defendants failed to re-deliver the subject shipments in the same good order and condition as when they were received.

7. By reasons of the premises, Defendants breached and violated their duties and obligations as common carriers and bailees of the cargo, were negligent and careless in their handling of the subject shipments and were otherwise at fault.

8. Plaintiff was the shipper, owner, consignee and/or insurer of the subject shipments

and brings this action on its own behalf and on behalf of all parties who are or may become interested in the subject shipments, as their respective interests may ultimately appear, and Plaintiff is entitled to maintain this action.

9. Plaintiff has performed all duties and obligations on its part to be performed.

10. By reason of the premises, Plaintiff has sustained damages as nearly as same can now be estimated, no part of which has been paid, although duly demanded, in the total amount of \$197,305.54, plus interest, costs and attorneys' fees.

WHEREFORE, Plaintiffs pray:

1. That process in due form of law according to the practice of this Court may issue against the Defendants.

2. That if the Defendants cannot be found within this District, that all of their property within this District be attached in the sum set forth in this Complaint, with interest and costs.

3. That a decree may be entered in favor of Plaintiff against Defendants in the amount of Plaintiff's damages, together with pre-judgment interest, costs and attorneys' fees.

4. Plaintiff further prays for such other, further and different relief as to this Court may deem just and proper in the premises.

Dated: New York, New York
July 20, 2020

HILL RIVKINS LLP
Attorneys for Plaintiff

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